

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 11/15/2019

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RAFAEL DAVID POLEO ISAVA,

Plaintiff,

-against-

HELMWELL LIMITED, a British Virgin Islands
Corporation, and JORGE CASADO SALCIETTI,
and JOHN DOE "1" THROUGH "10", said
persons or parties mortgaged premises herein, their
respective names are presently unknown to the
plaintiff.

Defendants.
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1:19-cv-6889-GHW

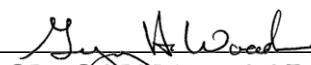
ORDER

GREGORY H. WOODS, United States District Judge:

As the Court stated on the record during the initial pretrial conference held on November 14, 2019, the Court notes that Defendant's answer states that Jorge Casado Salicetti is deceased. Dkt. No. 21, ¶ 4. The Court construes this as a "statement noting [a] death" under Federal Rule of Civil Procedure 25(a)(1). That rule states that if, after the death of a party, a motion for substitution "is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed." Fed. R. Civ. P. 25(a)(1). Therefore, Plaintiff has until February 10, 2020 to make a motion for substitution.

SO ORDERED.

Dated: November 15, 2019
New York, New York



GREGORY H. WOODS
United States District Judge